

MAR 06 2012

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

CASE NO.: 3:11-CV-00418

ROBYN ADOLPHE, *pro se*,

Plaintiff,

-VS-

OPTION ONE MORTGAGE
CORPORATION, *et. al.*,

Defendants.

PLAINTIFF'S MOTION PURSUANT TO
FED. RULES OF CIV. PRO. 56 (a) AND
RULE 57 FOR PARTIAL SUMMARY
JUDGMENT AND DECLARATORY
RELIEF DIRECTED AGAINST
DEFENDANTS WELLS FARGO BANK,
N.A., AS TRUSTEE FOR MERRILL LYNCH
MORTGAGE INVESTORS, INC.,
MORTGAGE LOAN ASSET-BACKED
CERTIFICATES 2003-OPT1, JOHN
STRUMPF, JEFFERY BUNDA, GRADY
INGLE, ELIZABETH ELLS, SHAPIRO &
INGLE, LLP, AND THE CLERK AND
DEPUTY CLERK OF THE SUPERIOR
COURT OF MECKLENBURG COUNTY,
ALTERNATIVELY, MOTION FOR RELIEF
OF JUDGMENT

Comes Now the Plaintiff, Robyn Adolphe, *pro se* (hereinafter "Plaintiff" or "the Plaintiff" or "Ms Adolphe") and respectfully moves this Honorable Court for an Order of Partial Summary Judgment, and Declaration directed against Defendants Wells Fargo Bank, N.A., as Trustee for Merrill Lynch Mortgage Loan Asset-Backed Certificate 2003-OPT1, John Strumpf, Grady Ingle, Elizabeth Ells, Shapiro & Ingle, LLP, and the Clerk and Deputy Clerk of the Superior Court for Mecklenburg County concluding and declaring that the finding(s) of fact and law conducted by the deputy clerk of the Superior Court for Mecklenburg County and the related Order of Foreclosure authorizing the sale of Plaintiff's home in the matter of 10-SP-9432, were each nullities and or otherwise void as judgments effecting real property. Because the matter of a void judgment might also be properly considered under Rule 60(b) of the Fed. R. Civ. Pro., Plaintiff does argue the alternative in addition to summary judgment.

Therefore, as grounds for her motions, Plaintiff directs the attention of the court to her brief in support thereof :

CONCLUSION

In conclusion, Plaintiff prays for just and equitable relief.

On this date, March, 6th, 2012, Respectfully Submitted:

/s/ Robyn Adolphe, pro se

ROBYN ADOLPHE

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Charlotte, NC 28215

Telephone No.: 704-492-0469

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and actuate copy of the foregoing Motions was placed in the U.S. Mail, postage prepaid and correctly addressed as follows on this, the 6th of March, 2012.

Parties have been emailed

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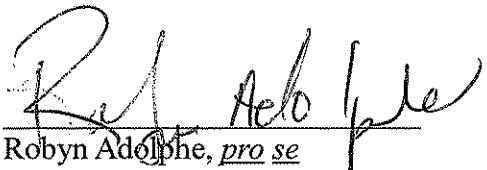
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